

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM GENTRY FRISKE-BREMER et al.,

Plaintiff,

Case No. 1:17-cv-590

v.

Honorable Robert J. Jonker

JACK WALSH et al.,

Defendants.

ORDER OF TRANSFER

This is a civil rights action brought by a Lenawee County detainee and a State of Michigan prisoner, pursuant to 42 U.S.C. § 1983. Plaintiffs William Gentry Friske-Bremer and Bradley Alan Bremer, a married couple, presently are incarcerated at the Lenawee County Jail and Gus Harrison Correctional Facility, respectively. Plaintiffs sue Lenawee County Sheriff Jack Walsh, the Lenawee County Jail, and Lenawee County Deputy Heather Sadayko. In their *pro se* complaint, Plaintiffs allege that Defendants have deprived Plaintiff Friske-Bremer of access to legal materials during his time at the Lenawee County Jail.

Under the revised venue statute, venue in federal-question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). The events giving rise to Plaintiff's action occurred at the Lenawee County Jail, which is located in Lenawee County. Lenawee County is within the geographical boundaries of the Eastern District of Michigan. 28 U.S.C. § 102(a). Defendants are public officials serving in Lenawee County, and they "reside" in that county for purposes of venue over a suit challenging official acts. *See Butterworth v. Hill*, 114 U.S. 128, 132 (1885); *O'Neill v.*

Battisti, 472 F.2d 789, 791 (6th Cir. 1972). In these circumstances, venue is proper only in the Eastern District. Therefore:

IT IS ORDERED that this case be transferred to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. § 1406(a). **It is noted that this Court has not decided Plaintiff Friske-Bremer's motion to proceed *in forma pauperis*, nor has the Court reviewed Plaintiffs' complaint under 28 U.S.C. §§ 1915(e)(2), 1915A, or under 42 U.S.C. § 1997e(c).**

IT IS SO ORDERED.

Dated: July 25, 2017

/s/ Ray Kent

RAY KENT

United States Magistrate Judge